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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF WASHINGTON

13
14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 SHERARD W. HENDERSON,

18 Defendant.

No. CR-08-0099-RHW

**ORDER DENYING MOTION FOR
REDUCTION IN SENTENCE
UNDER SECTION 3582(c)(2)**

19 Defendant moves the Court to reduce his sentence based on Amendment 750
20 to the Sentencing Guidelines. (ECF No. 48). This motion was heard without oral
21 argument and without objection from the Government. After reviewing the file,
22 however, the Court has determined it will deny the Defendant's request. His criminal
23 history began when the Defendant was seventeen years old, and he was committed in
24 a juvenile camp for intimidating a witness. He has numerous adult arrests and
25 convictions, including those for robbery, receipt of stolen funds, and rioting.
26 Moreover, the Defendant has a troubling habit of re-offending within months of his
27 release from custody. The public's safety would benefit from the Defendant serving
28 the remainder of his original sentence.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Motion for Retroactive Application of Sentencing Guidelines
3 (ECF No. 48) is **DENIED**.

4 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
5 order and to provide copies to counsel, the U.S. Probation Department, and the U.S.
6 Bureau of Prisons.

7 **DATED** this 3rd day of January, 2012.

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10 *s/Robert H. Whaley*
11 ROBERT H. WHALEY
United States District Judge

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